

# *Yithro*

## *Religion, State, Tension, Values, and Reality*

**T**he relationship between religion and state is a very difficult one. This relationship creates a tension which can never really be resolved. As most things in life, it is not an either/or position. We need religion, and we need the state. We must learn always to balance the demands of each.

This is exactly the Jewish position. We never believe in either/or; we always believe in both. We believe that we must be both independent and dependent. We obviously should always try to solve our problems but we cannot solve all our problems unaided. That's why we have a government. Each of us cannot have our own school system or build our own roads. We cannot have our own army, and we cannot determine the rules of the economic marketplace. We must form a government which will determine all these things. We, of course, must have a voice in formulating these politics, but we cannot do without a government. Within the policies that the government formulates, we must assume full responsibility. If a school system is set up and requirements are determined in order to obtain certain licenses or degrees, we must study and complete the courses and pass the tests in order to get the degree. Government, a state, is essential for each human being to achieve his potential.

Now it is also true that a state can set arbitrary rules. It can make policies which favor one group over another. It can rig the economic system so that very few people benefit. One of the problems with America in the 1990's is that the economic rules seem to be benefitting only the top 1%. Perhaps these rules should be revisited. A state is an absolutely necessity for an individual's security. We need policemen and an army. And a state is also an absolute necessity for us to receive justice. Without a court system and known codes of law, nobody can deal correctly with his neighbor. However, courts can be rigged, justice can be denied and perverted all in the name of the law. We know that once a government is established, it can do almost anything it wants.

That's why checks and balances are needed for any government. As Lord Acton said, "Power corrupts and absolute power corrupts absolutely." What, though, can hold the state in check? Obviously fear of uprisings and

fear of invasion by other states if you oppress their people living in your land are checks on the government's power, but the main checks on a government's power are ideas, principally religious ideas. Religion has an important role to play in any state. It delineates the limits of power of any state. It tells those who control the state that there are certain things that should not be done. Whether the state listens to these religious ideas or not is irrelevant. The very fact that alternative positions have been put forward to the state official positions is enough to make people think. Communism fell principally because its ideas did not measure up. It could not fulfill in practice what it had promised. Its dreams were illusions. It ended up by butchering people, not by helping people. No one was willing to sacrifice for it anymore and it fell, so to speak, of its own weight.

Religion is meant to stand for certain values. Whether these values are accepted by the society at a particular time or not is not important. They are still values that have to be reckoned with. Political systems, no matter what type, are not always right. Even democratically elected governments do not always make the right decisions. There is nothing wrong with saying that a democratically elected government's decision is wrong as long as we do not actively try to violate this decision by violent means. There may even be exceptions to this rule. After all, Hitler was elected democratically. His Nazi party received 288 votes and, together with the 52 votes of the nationalistic parties, his coalition allies, he controlled 340 seats out of the 647 seat German Bundestag. He clearly had a majority. However, even though he was democratically elected, his policies were so horrendous that they should have been violently opposed because they violated basic human rights. But in 99% of the cases when a democratically elected government makes a decision, even though it is very politically controversial, violence should never be used to oppose this decision. However, this does not mean that religious institutions must support this decision or not criticize this decision, even though some impressionable people may take this criticism as a call to arms.

In the United States today in every Catholic church and in almost every fundamentalist church every Sunday morning the priest or preacher will tell his congregation that abortion is murder and that those who perform abortions are murdered, yet nobody in the U. S. has ever accused the

Catholic church or any church in the U. S. of being responsible when an abortion doctor has been killed or when an abortion clinic has been fire-bombed. The church is entitled to express its opinions even in the strongest terms as long as it does not call for any specific action. Many churches in this country during the Viet Nam War said that the United States was fighting an immoral war and that it was a sin to fight in such a war, and nobody accused them of sedition or treason. Religion is meant to be a voice of conscience. Sometimes this voice of conscience rings hollow and events prove that certain stands that churches have taken are not right, but in the main, at least in this country, the churches have made valuable contributions by refusing to bend to current political fashions and by stating their positions loud and clear. Some of them will never be accepted by the majority of Americans but they do ameliorate certain state positions and cause them to be less harsh and more just. For example, the Quakers and Mennonites, who are pacifists and who proclaim loudly that it is wrong to serve in the army and who insist that its members should instead do alternative service, have been recognized by the U. S. government as conscientious objectors and have been absolved from military service. By their constant pacifism, they have caused the U. S. to be less eager to go to war. Often there is a conflict in this country between church and state. There are so many types of religious expressions in America that it is almost inevitable that to almost any given government policy there will be some moral objection by some religious group. That, of course, is what freedom of religion means. Freedom of religion means that every group has the right to propound its values. The people then, through its government, can choose to implement some of these values. The church, though, can never directly implement its values. There is a clear delineation between advocating values and implementing values. Only the government can implement them. Churches can actively ask for members to passively resist government policies, but they cannot organize active resistance. The Catholic church can tell its doctors that they cannot perform abortions and urge them to resign or protest if asked to do so, but it cannot tell its members to firebomb the hospitals which ask their doctors to perform abortions.

In Israel today in the wake of Prime Minister Rabin's assassination by Yigal Amir there were for a short time many who tried to stifle religion's

true role of expounding values. These values may be in contradistinction to the government's but this does not mean that religion does not have a right to express them. What religion does not have a right to do is to try to violently implement their opposing values. No rabbi in Israel today has been found guilty of violating this line. Hopefully, those in Israel who overreacted will understand that the role of religion and the role of the state are different. The state is called upon to implement agreed upon policies. Religion is meant to articulate values which may become policy or may not become policy. Religion deals with absolute values; the state deals with what is possible. The state can implement any values that it sees fit although in a modern democracy it must never violate basic human rights. When states do violate basic human rights, then they must be called to account.

In the *Torah* portion *Yisro* we learn about these things. We learn how Moshe had to set up a government, how he had to appoint judges. We learn how Moshe learned about the importance of setting up a government from his father-in-law, Yisro, a non-Jew at that time, even before Moshe received the *Torah*. Later in this *Torah* portion we also learn about the *Ten Commandments*. We learn how when G-d gave us the *Ten Commandments*, which are absolute values, He used the name Elokim and not the name Hashem. Why is it, the rabbis ask, that G-d uses the name Elokim when He gave the *Ten Commandments* and not the name Hashem? Throughout the rest of the *Torah* portion, the name Hashem is used. The rabbis tell us that the word "*Hashem*" stands for "G-d's relationship with man." In the beginning of the *Torah* we have two creation stories. In the first one the word "*Elokim*" is used; in the second story the word "*Hashem*" is introduced. According to Rabbi Soloveitchik, the reason *Elokim* is used in the first story is that the first story talks about G-d's relationship with the universe. It speaks about the fact that G-d created the universe with different laws and regulations which nobody can break except at his own peril. You can be the greatest *Tzadik* in the world but if you violate the natural laws, you are going to get hurt. If you take a knife and cut your finger, you are going to bleed. If you jump off a cliff, you are going to be hurt. You cannot defy the natural laws with impunity. True, G-d can change the natural laws, but usually He will not. We are taught never to rely on a miracle. In

the second creation story G-d is referred to by both names, Hashem and Elokim. The reason for this is that G-d relates to us as part of the world and also He relates to us as individual human beings. We believe that the moral laws and the values of Judaism are similar to natural laws. You violate them at your peril. On the other hand, we also know that we have to get along as human beings. We have to relate to one another just as G-d relates to us. It is in the second creation story that Adam violates G-d's command not to eat of the fruit of knowledge of good and evil. In our relationships with each other, we have to take into account moral values and human frailties. There is always going to be a tension between them. When G-d gave us the *Ten Commandments*, He introduced them with His name *Elokim* to stress that these are moral values. These are values which we should always live by. However, implementing them in practice is a difficult and hard thing. Therefore, throughout the *Ten Commandments* the word "*Hashem*" is introduced. It is the responsibility of religion constantly to proclaim values, and it is the responsibility of the state to try to implement them the best it can. Sometimes these values conflict. Sometimes one value takes precedence over another.

The rabbis also ask the question why, when G-d introduced the *Ten Commandments*, does it say, "And G-d spoke all these things saying"? The word "saying" in Hebrew means that "G-d's words were repeated," but if G-d spoke at least the first two commandments to every Jew, why did they have to be repeated? The answer is that after we state values, we have to state them again in the context of human relations which is a very different and difficult thing. There will always be a tension between the ideal and the real, and there will always be a tension between which values should have priority, which values should take precedence over others. That's why within the Jewish religion there have always been controversy and conflicting viewpoints because rabbis have always disagreed as to which values should take priority in given situations. It is important, though, that every voice should be heard so that when it comes to implementing values, all the possibilities have been explored so that truly the state will have the benefit of the best thinking available and everyone will know that their viewpoint was at least heard so there will be no reason for even the most demented to resort to violence.

Let us hope and pray that this conflict between state and religion, this tension will continue forever because if it is ever resolved by one side or the other becoming supreme, then you can rest assured that great injustices, cruelties, and immoralities will be foisted on humanity as has always happened when regimes think that the ideal and the real are the same thing. That can only happen in the days of the Messiah. Until then, let us learn to live with this tension.